

ARNOLD, WHITE & DURKEE

A PROFESSIONAL CORPORATION

Attorneys at Law

POST OFFICE BOX 4433

HOUSTON, TX 77210-4433

750 BERING DRIVE, SUITE 400

HOUSTON, TX 77057-2198

TELEPHONE (713) 787-1400

FACSIMILE (713) 787-1440

April 29, 1998

800 QUAKER TOWER
321 NORTH CLARK STREET
CHICAGO, IL 60610-4714
TELEPHONE (312) 744-0090
FACSIMILE (312) 755-4489

2001 JEFFERSON DAVIS HIGHWAY
SUITE 401
ARLINGTON, VA 22202-3604
TELEPHONE (703) 415-1720
FACSIMILE (703) 415-1728

1900 ONE AMERICAN CENTER
600 CONGRESS AVENUE
AUSTIN, TX 78701-3248
TELEPHONE (512) 418-3000
FACSIMILE (512) 474-7577

155 LINFIELD DRIVE
MENLO PARK, CA 94025-3741
TELEPHONE (650) 614-4500
FACSIMILE (650) 614-4599

4850 U.S. BANK PLACE
601 SECOND AVE. SOUTH
MINNEAPOLIS, MN 55402-4320
TELEPHONE (612) 321-2800
FACSIMILE (612) 321-9600

WRITER'S DIRECT DIAL:
713-787-1539

EXPRESS MAIL MAILING LABEL

NUMBER EM 139-337-406 US

DATE OF DEPOSIT 4-29-98

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington D.C. 20231.

Sherry L. Grace
Signature

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, DC 20231

RE: *U.S. Patent Application Entitled: Pharmaceutical Carrier Device Suitable For Delivery of Pharmaceutical Compounds to Mucosal Surfaces- Gilles H. Tapolsky and David W. Osborne*
(CIP of VIRO:017)

Sir:

Transmitted herewith for filing is a 46-page patent specification including 33-claims, 2 figures and an abstract. The aforementioned constitutes the application of Gilles H. Tapolsky and David W. Osborne for the captioned application.

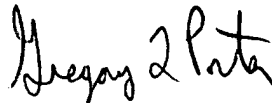
Please note that this application is filed without an inventor Declaration and Assignment, and a Declaration Claiming Small Entity Status. Pursuant to 37 C.F.R. § 1.53(b) and (d), the Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, the Applicant requests that the NOTICE OF MISSING PARTS-FILING

ARNOLD, WHITE & DURKEE

Assistant Commissioner for Patents
June 10, 1998
Page 2

overpayment be included herein, the Assistant Commissioner is authorized to deduct or credit said fees from or to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gregory L. Porter".

Gregory L. Porter

GLP:sg
Encl:

DATE GRANTED pursuant to 37 C.F.R. § 1.53(d) be sent to the undersigned Applicant's representative.

Also enclosed are the following documents:

1. Request for Filing C-I-P Application under 37 C.F.R. §1.53(b) (duplicate);
2. Check in the amount of \$639.00;
3. Information Disclosure Statement;
4. PTO-1449 with copies of references;
5. Verified Statement Claiming Small Entity Status *filed* in the prior application.
6. Recorded Assignment *filed* in the prior application;
7. Copy of the current Power of Attorney *filed* in the prior application;
8. Copy of current *Associate* Power of Attorney *filed* in the prior application; and
9. Postcard.

Please date stamp and return the enclosed postcard to evidence receipt of this application.


Respectfully submitted,

Gregory Porter

Gregory L. Porter
Reg. No. 40.131

GLP:sg
Encl.

COPY

EXPRESS MAIL MAILING LABEL	
NUMBER	EM 139-337-406 US
DATE OF DEPOSIT	4-29-98
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington D.C. 20231.	
 Signature	

JCS42 U.S. PTO
09/069703
04/29/98

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No.: VIRO:034/POR

**Prior Application Examiner:
Edward J. Webman**

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Prior Group Art Unit: 1615

**REQUEST FOR FILING CONTINUATION-IN-PART APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation-in-part application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 08/734,519 filed **10-18-96**, entitled "PHARMACEUTICAL CARRIER DEVICE SUITABLE FOR DELIVERY OF PHARMACEUTICAL COMPOUNDS TO MUCOSAL SURFACES."

- ☒ 1. Enclosed is a copy of the continuation-in-part application including a 46 page specification with 33 claims, 2 figures, and an abstract.
- ☒ 2. The inventorship is the same as prior Application Serial No. 08/734,519.


- ☒ 3. Enclosed is a check in the amount of \$639.00 to cover the filing fee as calculated below. The remaining \$22.00 of the filing fee as calculated below should be charged to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

<u>CLAIMS</u>					
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE
Basic Fee -----					\$395.00
Total Claims	33 - 20 =	13	X	\$11.00 =	\$143.00
Independent Claims	6 - 3 =	3	X	\$41.00 =	\$123.00
Multiple Dependent Claim(s) -----					\$-0-.00
TOTAL FILING FEES:					\$661.00

- ☒ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. If the check is missing or insufficient, the Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment to Arnold, White & Durkee Deposit Account No. 01-2508/VIRO:034/POR.

- ☒ 6. Enclosed is a copy of the current Power of Attorney and Associate Power of Attorney in the prior application.
- ☒ 7. Address all future communications to:
- Gregory L. Porter
ARNOLD, WHITE & DURKEE
P. O. Box 4433
Houston, Texas 77210
(713) 787-1400
- ☒ 8. The prior application is presently assigned to ViroTex Corp.
- ☒ 9. An Information Disclosure Statement (IDS) is enclosed.
- ☒ (a) PTO-1449.
- ☒ (b) Copies of IDS citations.
- ☒ 10. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,



Gregory L. Porter
Reg. No. 40,131
Attorney for Applicant

ARNOLD, WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210-4433
(713) 787-1400

Date: 4/29/98